

## EXHIBIT 1



Entered on Docket  
March 12, 2008

A handwritten signature in black ink, appearing to read "Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>1</sup>

USA SECURITIES, LLC,<sup>2</sup> Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR<sup>1</sup>  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE HOMES FOR AMERICA  
HOLDING, LLC – RIVIERA 2ND  
DEED OF TRUST LOAN**

Date of Hearing: February 21, 2008

Time of Hearing: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus  
2 Objection to Proofs of Claim Based Upon Investment in the Homes for America Holding,  
3 LLC – Riviera 2nd Deed of Trust Loan (the "Objection") [DE 5637]. Adequate notice of  
4 the Objection was given. No responses were filed to the Objection and no opposition was  
5 raised to the Objection at the hearing on February 21, 2008. Good cause appearing,

6 IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on  
7 Exhibit A attached are disallowed in their entirety because they were based entirely upon  
8 an investment in the Homes for America Holding, LLC – Riviera 2nd Deed of Trust Loan.

9 #####

10 PREPARED AND SUBMITTED:

11 **LEWIS AND ROCA LLP**

12  
13 By: /s/ RC (#0006593)  
14 Susan M. Freeman  
15 Rob Charles  
15 John Hinderaker  
16 *Attorneys for USACM Liquidating Trust*

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1 CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

2 In accordance with Local Rule 9021, the undersigned certifies:

3  The Court waived the requirements of LR 9021.

4  I have delivered a copy of this proposed order to all attorneys and unrepresented  
5 parties who have appeared at the hearing regarding this matter and/or who filed  
a written objection and each has:

6  approved the form of this order;

7  waived the right to review the order;

8  failed to file and serve papers in accordance with LR 9021(c); and/or

9  failed to sign and return this proposed order within five (5) business days  
in accordance with LR 9021(b).

10  I have delivered a copy of this proposed order to all attorneys and unrepresented  
11 parties who appeared at the hearing regarding this matter and/or who filed a  
written objection and all have either approved the form of this order, waived the  
12 right to review the order, failed to file and serve papers in accordance with LR  
9021(c) and the following have disapproved the form of the order.

13  No opposition was filed and no other party or counsel appeared at the hearing.

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15 **LEWIS AND ROCA LLP**

16 By: /s/ RC (#0006593)  
17 Susan M. Freeman  
18 Rob Charles  
19 John Hinderaker  
20 *Attorneys for USACM Liquidating Trust*

**EXHIBIT A**

HFA – Riviera 2<sup>nd</sup>  
 First Omnibus Objection  
 Single Loan Claims

Claim	Name	Address	Total Claim Amount	Amount Subject to Objection Because it Relates to an Investment In the HFA - Riviera 2nd Loan
10725-01355	Cynthia Avanzino	14519 SE 13th Place Bellevue, WA 98007	7,512.00	7,512.00
10725-00160	Chiappetta Trust Dated 4/1/03	c/o Pat and JoAnn Chiappetta Trustees 7043 Cinnamon Drive Sparks, NV 89436	75,000.00	7,512.00
10725-01976	John P. and Nancy K. Manter Living Trust	1449 Tirol Drive Incline Village, NV 89451	25,000.00	25,000.00
10725-01981	John Manter	1449 TIROL DR INCLINE VILLAGE NV 89451-7902	50,000.00	50,000.00
10725-02222	James Rogers IRA	Pensco Trust Co. Inc. Custodian 78 Seal Rock Drive San Francisco, CA 94121	102,150.00	102,150.00
10725-00946	David Stoebling	3568 East Russell Road, Suite D Las Vegas, NV 89120-2234	979.54	979.54